

RECEIVED
CENTRAL FAX CENTER

JAN 24 2006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Confirmation No.: 1761

Andrew R. Weisenberger et al

Art Unit: 3744

S. N. 10/621,859

Examiner: C. W. Jiang

Filed: July 16, 2003

For: MOISTURE REDUCTION AND MOLD AND MOISTURE DAMAGE
PREVENTATIVE SYSTEM AND METHOD IN CONSTRUCTION

DECLARATION OF PRIOR INVENTION UNDER 37 CFR 1.131
ROBERT WEISENBERGER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Robert Weisenberger, am a co-inventor of the above-referenced application and make this declaration in support of showing prior invention of the subject matter prior to the September 2002 effective date of ASHRAE Journal.

Attached with this declaration is a copy of a document "Program of Preventative Drying", which was prepared by Andrew Weisenberger and myself, setting forth the concepts and steps of the invention, including the use of plastic sheeting. The plastic sheeting is employed in sealing off of the space being dried.

The document was prepared by us in the United States, prior to the September 2002 effective date of the ASHRAE Journal.

Page 1 — DECLARATION UNDER 37 CFR 1.131
(U.S. Patent Appln. S.N. 10/621,859)
[\\Files\files\Applications\W332\w332declarationroberweisenberger012306.doc]

Appl. No. 10/621,859
Declaration under 37 CFR 1.131

The document includes confidential pricing data, which is redacted to maintain the confidentiality thereof.

The redacted date in the document is prior to the September 2002 effective date of the ASHRAE Journal.

I, Robert Weisenberger, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and I make this declaration being warned that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C.1001) and may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,


Robert Weisenberger

1-23-2006
Date

Andrew Weisenberger

Program of

Preventative Drying

Current Environment

- **Home Are Wet From**
 - 1.Rain**
 - 2.Wet Materials Used**
- **Construction is completed with moisture locked in.**
- **Destructive Moisture / Mold Results**
 - 1.Often Detected Immediately**
 - 2.Detection Sometimes Delayed**
 - 3.Never Detected**
- **Mold Remediation**
 - 1.Costly**
 - 2.Time Consuming**
 - 3.Public Relations Issues**
 - 4.Legal Issues**

Proposed Solution

Program of

Preventative Drying

Benefits

- **Destructive Moisture / Mold Prevention**
- **Less Costly**
- **Greater Customer Satisfaction**
- **Saves Time – No Post Construction Remediation**

Preventative Drying Program

How it works?

- **Homes are moisture tested before rough trades, and after roofing, sheeting and windows/ doors.**
- **Written report submitted detailing:**
 - 1. Date**
 - 2. Drying Goal**
 - 3. Moisture content of structure**
- **Drying, when needed, would be completed within 5-8 days of start date with a follow-up monitoring report.**

Program Cost

REDACTED cost per House
Up to 2500 Square Feet

REDACTED cost for Each Additional
1000 Square Feet

REDACTED cost Plastic Sheeting

Home drying presentation **Redacted date**

BEST AVAILABLE COPY